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UNITED STATES OF AMERICA,	ES DISTRICT COURT  CRICT OF CALIFORNIA  Magistrate Docket Nothern District Court  08 MJ 2 4 3 9  ON MAJ 2 4 3
Plaintiff,	O8 MJ 2 4 3 9 COMPLAINT FOR VIOLATION OF: VINT
Hector ALMAREZ-Campos,	) Title 8, U.S.C., Section 1326 ) Deported Alien Found in the ) United States
Defendant	) ) )

The undersigned complainant, being duly sworn, states:

On or about August 6, 2008 within the Southern District of California, defendant, Hector ALMAREZ-Campos, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

James Trombley Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF AUGUST, 2008.

Louisa S. Porter

UNITED STATES MAGISTRATE JUDGE



## **CONTINUATION OF COMPLAINT: Hector ALMAREZ-Campos**

## PROBABLE CAUSE STATEMENT

On August 6, 2008, Border Patrol Agent M. Rasmussen was assigned to line watch operations in the Brown Field Border Patrol Station's area of responsibility. Agent Rasmussen was on a foot patrol in an area commonly known as Mine Canyon, which is approximately twelve miles east of the Otay Mesa, California Port of Entry and approximately two miles north of the United States/Mexico border.

As Agent Rasmussen was walking southbound on the trail at approximately 9:55 a.m., she observed several individuals attempting to hide in brush along the creek bed. Agent Rasmussen approached the seven subjects, and identified herself as a United States Border Patrol Agent. Agent Rasmussen individually questioned all seven individuals, as to their citizenship and immigration status. All seven individuals, including one later identified as the defendant Hector ALMAREZ-Campos, admitted to being citizens and nationals of Mexico and were not in possession of any valid United States immigration documents that would allow them to enter or remain in the United States legally. Agent Rasmussen arrested all seven individuals, including the defendant and transported them to the Brown Field Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on October 7, 2005 through Del Rio, Texas. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.